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May 14, 2019

Paula Wilson
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Boise, Idaho 83706

via e-mail: Paula.Wilson@deq.idaho.gov

Re: Rulemaking 58-0113-1901, Ore Processing by Cyanidation

Dear Ms. Wilson:

Thank you for the opportunity to provide comments at this stage of the rulemaking. After reviewing the presentations, IDL offers the following comments. While performance based design has some merit, it leads to several questions that this rulemaking needs to answer. These comments are provided in an effort to get the rulemaking participants thinking about the adequate safeguards needed to support the proposed revisions.

1. The diagram of a tailings pond on slide 4 of the IMA presentation appears to oversimplify pond construction. While tailings may be present along parts of the impoundment edge, large portions of the liner will be exposed at the edges where tailings have not yet been deposited. In addition, tailings discharged at the edge of the impoundment are courser grained due to differential deposition. The floor of the impoundment may be covered with primarily fine-grained, low-permeability tailings, but the edges may not be.
2. Tailings ponds may be more susceptible to liner damage than described. The tailings pond at Hecla's Grouse Creek Mine had numerous liner failures. Some were due to ice jams against exposed liner material at the edge of the pond. Another failure was from a ramp of fill material that was placed down the liner slope to the bottom of the pond. The fill material slumped, stretching the liner to the breaking point and causing a large leak.
3. If no leak detection and collection system is used, then how will leaks be detected and mitigated? Will more ground water monitoring be required? Will bonding for ground water remediation be included?
4. Point #5 in the IMA's Areas of Improvement suggests that different standards should be applied to different facilities based on cyanide concentration. This suggests that bonding amounts may need to vary based on cyanide content and facility usage.

5. Examples are needed of facilities built under current standards that did not function well.
6. Examples are needed of facilities built under IMA's proposed standards that have performed well from construction through operations and closure.

Sincerely,

Eric Wilson
Resource Protection and Assistance Bureau Chief